

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

FREDERICK CHARLES MILLER,

Petitioner,

v.

**DAVID BERKEIBILE, Warden,
FCI Seagoville,**

Respondent.

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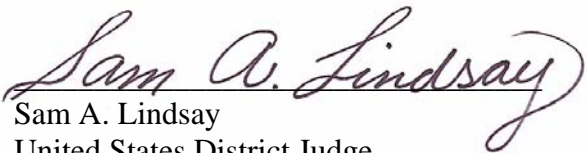
Civil Action No. **3:06-CV-2220-L**

ORDER

This is a habeas petition brought under 28 U.S.C. § 2241. Pursuant to 28 U.S.C. § 636(b), this action was referred to the United States magistrate judge for proposed findings and recommendation. The Findings and Recommendation of the United States Magistrate Judge were filed December 8, 2006. Petitioner Miller filed his Response in Opposition to the Findings and Recommendation of the United States Magistrate Judge on December 14, 2006.

After making an independent review of the pleadings, file and record in this case, the Findings and Recommendation of the United States Magistrate Judge, and having considered Miller's objections thereto, the court determines that the findings of the magistrate judge are correct. They are therefore accepted as those of the court. Miller's objections raised in his Response in Opposition to the Findings and Recommendation are **overruled**. Accordingly, Miller's petition is hereby **denied**, and this action is **dismissed for lack of jurisdiction**.

It is so ordered this 5th day of January, 2007.


Sam A. Lindsay
United States District Judge